

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JANE HALL,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	NO. 10-738
v.	:	
	:	
WYETH, INC., et al.,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 2nd day of December, 2010, upon consideration of Defendants' Motion for Certification for Interlocutory Appeal Under 28 U.S.C. § 1292(b), and the lack of any response thereto, it is hereby **ORDERED** that the Motion (Docket No. 23) is **GRANTED**, and that this Court's order of September 30, 2010, D.E. 21, 22, is certified for interlocutory appeal.

The Court certifies the following question as a controlling question of law, as to which there is a difference of opinion, and as to which an immediate appeal will expedite the resolution of the litigation:

Does federal law preempt Michigan law which grants immunity to drug manufacturers in actions involving drugs approved by the FDA unless the Defendants engaged in fraud during the application process?

BY THE COURT:

s/ Ronald L. Buckwalter
RONALD L. BUCKWALTER, S. J.